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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY-DOCKET NO.	CONFIRMATION NO.
09/391,782	09/08/1999	GARY L. OWEN	99CR108/KE	9068

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EXAMINER

MANCHO, RONNIE M

ART UNIT	PAPER NUMBER
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3663

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/391,782

Applicant(s)

OWEN ET AL.

Examiner

Ronnie Mancho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6, 8 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2, 3, 8 and 14-18 is/are rejected.
- 7) ☒ Claim(s) 4-6 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371[®] of this title before the invention thereof by the applicant for patent.

2. Claims 2, 3, 8, 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Briffe et al (6038498).

Regarding claim 2, Briffe et al disclose an avionics FMS comprising:

a source of FMS route data (MAU 65d, fig. 2; col. 5, line 40);

a display (16, 18, 20, 22, fig. 2) coupled to said source of FMS route data (MAU 65d) for visually presenting said FMS route data;

a configurable route window (figs. 9, 15, 16, 22; col. 11, lines 1-37) presented on said display (16, 18, 20, 22, fig. 2);

said configurable route window (figs. 9, 15, 16, 22; col. 11, lines 1-37) has a configurable window size (col. 11, lines 5-7);

said display (16, 18, 20, 22, fig. 2) presents an adaptive graphical map segment (col. 11, line 1, figs. 14, 15); and

wherein said adaptive graphical map segment (col. 11, line 1, figs. 14, 15) adapts to a sized characteristic of said configurable route window (col. 11, lines 5-7).

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Regarding claim 3, Briffe et al disclose the avionics display of claim 2 wherein said configurable route window includes a vertical route window expansion/contraction button (see trackballs 44, etc controlling cursor, col. 11, lines 12-15).

Regarding claim 4, Briffe et al disclose the avionics display of claim 3 wherein said vertical route window expansion/contraction button (see trackballs 44, etc) is a vertical route window expansion/contraction variable direction indicating button (also see "menu driven system " col. 11, line 3; see also col. 12, lines 1-35).

Regarding claim 5, Briffe et al disclose the avionics display of claim 4 wherein said vertical route window expansion/contraction variable direction indicating button (see trackballs 44, etc) is a vertical route window expansion/contraction variable direction double chevron button.

Regarding claim 6, Briffe et al disclose the avionics display of claim 3 wherein said configurable route window includes a horizontal route window expansion/contraction button (see trackballs 44, etc).

Regarding claim 7, Briffe et al disclose the avionics display of claim 2 wherein said adaptive graphical map segment (col. 11, line 1) adapts to a sized characteristic (col. 12, lines 30+, figs 9&10) of said configurable route window (figs. 9 etc).

Regarding claim 8, Briffe et al disclose the avionics display of claim 7 wherein said configurable route window (figs. 9, 15, 16, 22; col. 11, lines 1-37) includes a plurality of display format parameter control buttons (see for e.g. RNG, menu of fig. 9; HDG, A/C, TO, etc fig. 15).

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Regarding claim 13, Briffe et al disclose the apparatus of claim 5 wherein said configurable route window (figs. 9, 15, 16, 22; col. 11, lines 1-37) includes a plurality of display format parameter control buttons (see for e.g. RNG, menu of fig. 9; HDG, A/C, TO, etc fig. 15); and wherein each of said plurality of display format parameter control buttons includes a plurality of selectable regions thereon (see the figures; col. 11, lines 20+) which are independently capable of being highlighted to indicate a selection status.

Regarding claim 14, Briffe et al disclose an avionics display comprising:

means (16, 18, 20, 22, fig. 2) for presenting a size configurable window (122, fig. 9) of route information relating (figs 5, 9, 10, etc) to a predetermined route of an aircraft;

means (16, 18, 20, 22, fig. 2) for graphically presenting a map (see map fig. 9) relating to information relating to said predetermined route of said aircraft; and

wherein said window (122, fig. 9) is simultaneously presented with said map (see map fig. 9)

Regarding claim 15, Briffe et al disclose the avionics display of claim 14 wherein said means (16, 18, 20, 22, fig. 2) for presenting a configurable window (122, fig. 9) includes a first means (cursor, col. 11, lines 12-30) for size adjustment of said configurable window (122, fig. 9).

Regarding claim 16, Briffe et al disclose the avionics display of claim 15 wherein said means (16, 18, 20, 22, fig. 2) for presenting a size configurable window (122, fig. 9) includes a second means (trackballs 44, switches etc 48, 50, 52; col. 11, lines 12-30) for size adjustment of said configurable window (122, fig. 9).

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Regarding claim 17, Briffe et al disclose the avionics display of claim 14 wherein said means (16, 18, 20, 22, fig. 2) for presenting a size configurable window (122, fig. 9) includes a means (cursor, col. 11, lines 12-30) for altering a content characteristic of said configurable window (122, fig. 9).

Regarding claim 18, Briffe et al disclose a method of adjusting a display of FMS information to a pilot comprising the steps of:

providing a display (see fig. 9) of FMS information in a tabular textual format (see 122, fig. 9) in a section (122, fig. 9) of an avionics display (fig. 9);

positioning a cursor (cursor, col. 11, lines 12-30) over a predetermined position in said section (122, fig. 9) and providing a selection input signal (clicking the cursor) having a characteristic associated with said predetermined position (col. 11, lines 12-30); and

adjusting a size characteristic (clicking on INIT for example in fig. 9; col. 12, lines 30+) of said section (122, fig. 9) in response to said selection input signal.

Regarding claim 19, Briffe et al disclose the method of claim 18 wherein said step of adjusting a characteristic includes changing a size (encompasses entire screen, col. 12, line 31) characteristic of said section.

Regarding claim 20, Briffe et al disclose the method of claim 18 wherein said step of adjusting a characteristic includes changing (clicking on INIT for example in fig. 9) an information content characteristic of said section (122, fig. 9).

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Allowable Subject Matter

3. Claims 4, 5, 6, and 13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is an examiner's statement for indicating allowable subject matter:

Claims 4, 5, 6, and 13 are allowed due the board's reversal of the 103 rejection applied to the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communication

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 703-305-6318. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black can be reached on 703-305-9707. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Ronnie Mancho
Examiner
Art Unit 3663

January 14, 2004

Tom Black
TOM BLACK
SUPERVISOR, PLT EXAMINER
GROUP 3600